

The issue of the use of biometric data in labour relations

Abstract

This diploma thesis deals with the current topic of the legal framework for the protection of biometric data in the context of labour relations. With the development of information technology, interest in the use of biometric data is growing. It is becoming common in the workplace that the biometric data are used, among others, for recording attendance, gaining access either to the workplace itself or to the individual work equipment. Their use is simple and convenient, as employees can use for verification their fingerprints, iris scans, etc. However, biometric data are inherently unchangeable, which is an advantage as well as the Achilles heel of their processing. Therefore, due to their nature, they fall into the category of sensitive personal data and as such enjoy enhanced protection. Development in the field of information technology suggests that biometric data are highly likely to become part of everyday life. Hence, it is more than appropriate for this development to be reflected in the legislation.

The aim of this diploma thesis is to provide a general insight into the issue of using biometric data in the labour relations, where a particularly high increase in their use can be expected. The first part of this thesis acquaints the reader with the concept of biometric data in the legal sense, including the development of this concept not only in the Czech legislation. The second part deals with biometric data in a general sense and with their individual types. The third part introduces the reader to the possible methods of processing individual types of data in the work environment. It focuses mainly on attendance and access systems and also on the use of work equipment. Subsequently, this part analyses the legal titles of processing of biometrical data and examines selected obligations arising for the employers during the process. The last part evaluates the current legislation, summarizes its most significant deficits, responds to the draft amendment to the Labour Code, and presents *de lege ferenda* considerations.

Klíčová slova:

protection of personal data, biometric data, labour relations